

IN THE SENATE OF THE UNITED STATES.

MARCH 16, 1880.—Ordered to be printed.

Mr WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1239.]

The Committee on Pensions having examined the bill (S. 1239) granting a pension to Mrs. Kate E. Whiting, widow of Leonard J. Whiting, late second lieutenant Sixth Rhode Island Volunteers, finds that the claim for pension was rejected at the Pension Bureau because "the disease (consumption) of which the soldier died was not shown to be the result of the amputation of his arm or of his military service."

A careful examination of the record evidence, in the judgment of the committee, fully sustains this decision. The wound which resulted in the amputation of the arm was received in 1862, and the amputation performed at the time. In 1863 the officer received leave of absence for treatment of the stump, which had become a source of great suffering, as was believed, from constriction of the median nerve by the ligature around the artery.

A second operation in 1863 was performed, verifying this condition of the nerve, and in December of that year he returned to duty, was assigned to the Veteran Reserve Corps in 1863, and rose by promotion to the rank of captain in 1865; in 1866 was mustered out, and appointed second lieutenant in the Forty-fifth United States Infantry; was promoted first lieutenant in 1868, and brevetted captain in 1867; unassigned and awaiting orders in 1869; put on recruiting service in 1870, and retired for disability occasioned by loss of arm in 1870, the medical board certifying that his health was then good, but that the officer said he was not as vigorous as formerly. He died on November 10, 1876, and his widow applied for a pension December 11, 1877.

Numerous affidavits are filed stating that in the belief of the affiants the disease was caused by the depression and suffering incident to the loss of his arm, but none of them, nor all of them, amount to more than a general statement of the belief of the parties, while the continuous service of the officer in active duty for seven or eight years after the injury, with no indications of the existence of consumption, and the additional fact that at the time of his discharge in 1870 the medical board state that his "health was good," all tend to show that the pulmonary disease had its origin and subsequent fatal development after the discharge from service, and that it was not occasioned by the loss of the arm in 1862.

The committee therefore ask the indefinite postponement of the bill.

THE HISTORY OF THE UNITED STATES

January 1st, 1870

The following is a list of the names of the persons who have been elected to the office of

MEMORIAL

to the Senate of the United States

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